

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION - CINCINNATI

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|---------------------------------------|---|----------------------------|
| MISTY COLEMAN, | : | Case No. 1:22-cv-319 |
| | : | |
| Plaintiff, | : | Judge Matthew W. McFarland |
| | : | |
| v. | : | |
| | : | |
| HAMILTON COUNTY BOARD OF | : | |
| COUNTY COMMISSIONERS, <i>et al.</i> , | : | |
| | : | |
| Defendants. | : | |

ORDER DENYING DEFENDANT HAMILTON COUNTY BOARD OF COUNTY
COMMISSIONERS' MOTION TO DISMISS (Doc. 3) AS MOOT

This case is before the Court on Defendant Hamilton County Board of County Commissioners' Motion to Dismiss (Doc. 3). Generally, an amended complaint "supersedes the original pleading, thus rendering motions to dismiss moot." *O'Malley v. NaphCare, Inc.*, No. 12-cv-326, 2013 WL 1438028, at *2 (S.D. Ohio Apr. 9, 2013). Here, Defendant filed its Motion to Dismiss (Doc. 3) prior to Plaintiff filing the Amended Complaint (Doc. 7). As such, Defendant's motion addresses a pleading which is no longer operative. Therefore, Defendant Hamilton County Board of County Commissioners' Motion to Dismiss (Doc. 3) is **DENIED AS MOOT**.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND